

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210

CRM-M-40572 of 2020

Date of Decision: 24.02.2021

Mukhtiar Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

Present: Ms. Amandeep Kaur, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

MANJARI NEHRU KAUL, J.

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.177, dated 20.10.2019, under Section 22 (Notification No.61) of NDPS Act, 1985 registered at Police Station Sadar Faridkot, District Faridkot.

On a pointed query put to the counsel for the petitioner as to what was the substantial change in circumstances subsequent to the withdrawal of the previous petition filed by the petitioner under Section 439 Cr.P.C., the learned counsel has submitted that prosecution evidence is underway. The learned counsel submits that the petitioner is an old lady aged 70 years who has been in custody since 20.10.2019 for being found in alleged possession of 20,000 intoxicant tablets. It has been submitted that infact the alleged recovery has been falsely planted on the petitioner.

Per Contra, learned State counsel, on instructions from ASI Harvinder Singh, while opposing the prayer made by the learned counsel for the petitioner, has submitted that the petitioner was specifically named in the secret information received by the police and thereafter apprehended at the

spot along with the aforementioned contraband. Further apprised the Court that the delay in the conclusion of the trial has been on account of the outbreak of pandemic. However, the prosecution evidence is underway now and hence the trial would conclude shortly.

Heard.

Prima facie in the wake of the huge recovery allegedly effected from the petitioner, this Court is not inclined to extend the concession of regular bail to the petitioner.

The petition stands dismissed.

However, keeping in view the age of the petitioner and the fact that she has been in custody since 20.10.2019 the trial Court is directed to expedite the trial and conclude the same preferably within eight months from today.

(MANJARI NEHRU KAUL)
JUDGE

24.02.2021
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No